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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,981	07/03/2003	Yasushi Koike	01306.000102.	4172
5514	7590	03/03/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			TRAN, LY T	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2853	

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/611,981

Applicant(s)

KOIKE ET AL.

Examiner

Ly T. TRAN

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/3/03</u> | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because the phrase "the present invention". Correction is required. See MPEP § 608.01(b).
2. The disclosure is objected to because of the following informalities: the translation is not clear to define what is "a material not compatible".

Appropriate correction is required.

### ***Claim Objections***

3. Claims 1-9 are objected to because of the following informalities: It's unclear in what way the material is "not compatible". Appropriate correction is required.

### ***Prior Art Cited***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - Hamberger et al. (USPN 6,722,809) discloses a joint for two flat structure members with tongue and hole (Fig.1: element 16, 20). However, Hamberger et al. fails to teach a tongue is formed on the side surface of the first metal cover and wherein the second cover is formed with a brim covering at least one side

surface of the first metal cover and with a hole at a position corresponding to the position of the tongue of the first metal cover as present invention.

- Ogden (USPN 6,729,585) discloses tongue and hole (Fig.2: element 25, 23, Fig.4: element 14). However, Ogden fails to teach a tongue is formed on the side surface of the first metal cover and wherein the second cover is formed with a brim covering at least one side surface of the first metal cover and with a hole at a position corresponding to the position of the tongue of the first metal cover as present invention.
- Lin (USPN 5,612,111) discloses upper layer made of steel with plurality of concaves and convex and bottom layer made of PVC (Fig.1: element 1, 2). However, Lin fails to teach a tongue is formed on the side surface of the first metal cover and wherein the second cover is formed with a brim covering at least one side surface of the first metal cover and with a hole at a position corresponding to the position of the tongue of the first metal cover as present invention.
- Miyaji (JP0200124680A) discloses a cover part comprises a casing and a cover body having different material from that of a member to be fixed with the cover body (Abstract). However, Miyaji fails to teach a tongue is formed on the side surface of the first metal cover and wherein the second cover is formed with a brim covering at least one side surface of the first metal cover and with a hole at a position corresponding to the position of the tongue of the first metal cover as present invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T. TRAN whose telephone number is 571-272-2155. The examiner can normally be reached on M-F (7:30am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LT

March 1, 2005

  
**Stephen D. Meier**  
**Primary Examiner**